

## REMARKS

This is in response to the Office Action dated April 17, 2009. With this response, claims 1, 9, 24 and 30 are amended and all pending claims 1-11 and 24-35 are presented for reconsideration and favorable action.

In the Office Action, claims 1-8 were rejected under 35 § U.S.C. 112. Claim 1 has been amended and it is believed that the rejection may be withdrawn.

In the Office Action, claims 1-5 were rejected based upon Ura et al., claims 9 and 10 were rejected based upon Stafford in view of Miller and claims 30-33 and 35 were rejected based upon Stafford in view of Miller and further in view of Kosh. It is believed that the amended independent claims are patentably distinct from the various combinations of references.

The independent claims define the invention as including a first layer and a second layer. The second layer completely contacts all of the first layer, while the first layer at least partially covers cylindrical portions of a plurality of cells. This configuration is not shown in the cited references.

Further, the independent claims define a relationship between the first and second layers, thermal conductivity and ignition of an explosive environment due to a short circuit. This also is not shown in the cited references. (The claims have been amended such that the explosive environment is cited positively rather than inferentially.)

Further, the independent claim include a fusible link which is carried in a potting compound. This also is not shown in the cited references.

As the independent claims include elements which are not shown in the cited references, the rejections should be withdrawn.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally,

nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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